

United States Senate

WASHINGTON, DC 20510

September 20, 2018

President Donald J. Trump
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear President Trump:

As former prosecutors and attorneys general, we write to express our deep concern that your Administration has reportedly refused to direct the Federal Bureau of Investigation (FBI) to reopen its background investigation to conduct appropriate follow-up in response to the allegations that have been raised against Judge Brett Kavanaugh.

We have seen firsthand the critical and unquestioned role of law enforcement professionals in gathering the information that is necessary to evaluate serious allegations like the ones raised by Dr. Blasey Ford. Career law enforcement officers have specialized training and expertise in this area, and when new evidence emerges, law enforcement professionals regularly follow up on those developments. This process – including collecting information in a thorough and impartial manner – is how our justice system works.

The allegations now before us include a number of issues that would ordinarily be addressed by law enforcement. One of these is the fact that the allegations mention multiple witnesses who may have relevant information to share in an interview. Another is that there are reports of medical evidence and a polygraph test, which should be reviewed. These are tasks that are properly done by law enforcement professionals and that are consistent with the FBI's work in conducting background checks of other nominees. In this instance, the need for this type of follow-up is all the more important in light of the fact that two of the people who may have relevant information have already sent letters stating their refusal to appear before the Judiciary Committee.

Declining to have the FBI take action under these circumstances also abandons the precedent that President George H.W. Bush set when he asked the FBI to investigate after Anita Hill raised allegations against Judge Clarence Thomas in 1991. That decision was praised by Republican senators including Senator Hatch, who called it the “right thing to do,” and the FBI finished its work in three days.

Earlier this week, you expressed your support for having a “full process” following the allegations that have been made against Judge Kavanaugh. But that is not what is happening here. Senate Republicans are attempting to make Dr. Blasey Ford testify on just a few days' notice—without having the FBI follow up on her allegations and provide a report first. This

strikes us as simply a check-the-box exercise in a rush to confirm Judge Kavanaugh. It is for this reason that we urge you to reconsider your decision and ask the FBI to take appropriate action in response to the claims that have been made, so that Judge Kavanaugh's nomination can be considered by the Senate in a manner that is both consistent with past practices and fair to the parties involved and the American people.

Sincerely,


AMY KLOBUCHAR
United States Senator


KAMALA D. HARRIS
United States Senator

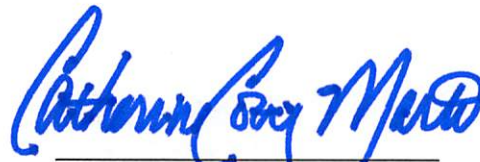

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